

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>		<b>GRANT NUMBER (FAIN):</b> 96335401	<b>DATE OF AWARD</b> 07/23/2015	
			<b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> EQ		
			<b>TYPE OF ACTION</b> New		<b>MAILING DATE</b> 07/30/2015
			<b>PAYMENT METHOD:</b> ASAP		<b>ACH#</b> (b) (6)
<b>RECIPIENT TYPE:</b> Not for Profit			<b>Send Payment Request to:</b> N/A		
<b>RECIPIENT:</b> Greater Southeast Development Corporation 2101 Jefferson Avenue Newport News, VA 23607-5277 <b>EIN:</b> (b) (6)			<b>PAYEE:</b> Greater Southeast Development Corporation 2101 Jefferson Avenue Newport News, VA 23607-5277		
<b>PROJECT MANAGER</b> Ms. Terri Williams 2101 Jefferson Avenue Newport News, VA 23607-5277 <b>E-Mail:</b> (b) (6) <b>Phone:</b> (b) (6)		<b>EPA PROJECT OFFICER</b> ErinC Sullivan 1650 Arch Street, 3EC00 Philadelphia, PA 19103-2029 <b>E-Mail:</b> Sullivan.ErinC@epa.gov <b>Phone:</b> 215-814-5564	<b>EPA GRANT SPECIALIST</b> Donna Armstrong Grants and Audit Management Branch, 3PM70 <b>E-Mail:</b> Armstrong.Donna@epa.gov <b>Phone:</b> 215-814-5393		
<b>PROJECT TITLE AND DESCRIPTION</b> Environmental Justice Small Grants This project aims to build an effective resident-led partnership that uses a community-based participatory research approach for lessening impacts to respiratory health as a result of increased air pollution associated with climate change in the Southeast Community, Newport News, VA.					
<b>BUDGET PERIOD</b> 07/24/2015 - 07/23/2016	<b>PROJECT PERIOD</b> 07/24/2015 - 07/23/2016	<b>TOTAL BUDGET PERIOD COST</b> \$30,000.00	<b>TOTAL PROJECT PERIOD COST</b> \$30,000.00		
<b>NOTICE OF AWARD</b>					
Based on your Application dated 01/08/2015 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$30,000. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$30,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>			
<b>ORGANIZATION / ADDRESS</b> US EPA Region 3, 3PM70 1650 Arch Street Philadelphia, PA 19103-2029		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 3 Office of Enforcement, Compliance and Environmental Justice 3EC00 1650 Arch Street Philadelphia, PA 19103-2029			
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
<b>Digital signature applied by EPA Award Official</b> Ronald J. Borsellino - Assistant Regional Administrator for Policy and Management				<b>DATE</b> 07/23/2015	

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 30,000	\$ 30,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 30,000	\$ 30,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.604 - Environmental Justice Small Grants Program for Community Research	Clean Air Act: Sec. 103(b)(3)	2 CFR 200 2 CFR 1500 and 40 CFR 33

[illegible]



## Budget Summary Page

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$12,809
<b>2. Fringe Benefits</b>	\$0
<b>3. Travel</b>	\$1,691
<b>4. Equipment</b>	\$0
<b>5. Supplies</b>	\$3,000
<b>6. Contractual</b>	\$10,000
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$2,500
<b>9. Total Direct Charges</b>	\$30,000
<b>10. Indirect Costs: % Base</b>	\$0
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	\$30,000
<b>12. Total Approved Assistance Amount</b>	\$30,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$30,000
<b>15. Total EPA Amount Awarded To Date</b>	\$30,000

## **Administrative Conditions**

### **1. General Terms and Conditions**

The recipient agrees to comply with the current EPA general terms and conditions available at: [http://www.epa.gov/ogd/tc/general\\_tc\\_applicable\\_aa\\_recipients\\_dec\\_26\\_2014.pdf](http://www.epa.gov/ogd/tc/general_tc_applicable_aa_recipients_dec_26_2014.pdf). These terms and conditions are in addition to the assurances and certifications made as part of the award and the terms, conditions or restrictions cited below.

The EPA repository for the general terms and conditions by year can be found at: <http://www.epa.gov/ogd/tc.htm>.

### **2. Cybersecurity Grant Condition for Other Recipients, Including Intertribal Consortia**

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State or Tribal law cybersecurity requirements.

(b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

### **3. Annual Federal Financial Report**

Pursuant to 2 CFR 200.327 and 200.343, the recipient agrees to submit to EPA an annual Federal Financial Report (FFR) (SF-425) when the budget period is longer than one year. The following reporting period end dates shall be used for interim reports: 3/31, 6/30, 9/30, or 12/31. Interim reports shall be submitted no later than 90 days after the end of each reporting period.

The form is available on the internet at <http://www.epa.gov/financial/forms>. **All FFRs must be submitted to the Las Vegas Finance Center (LVFC) via email LVFC-grants@epa.gov or fax at 702-798-2423.**

### **4. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MBE/WBE)**

#### **GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

## **REPORTING PROVISION**

MBE/WBE reporting is required annually for assistance agreements where there are funds budgeted for procuring construction, equipment, services and supplies, including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category, that exceed the threshold amount of \$150,000, including amendments and/or modifications.

Based on EPA's review of the planned budget, this award does not meet the condition above and is not subject to the reporting requirements of the Disadvantaged Business Enterprise (DBE) Program. However, if during the performance of the award the total of all funds expended for direct procurement by the recipient and procurement under subawards or loans in the "Other" category exceeds \$150,000, annual reports will be required in accordance with the reporting paragraph below and you are required to notify your grant specialist for additional instructions.

The recipient also agrees to request prior approval from EPA for procurements that may activate DBE Program reporting requirements.

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Good Faith Efforts requirements as described in 40 CFR Part 33 Subpart C and Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D and explained below.

## **MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E**

When required, MBE/WBE reports must be submitted annually. The recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" report (EPA Form 5700-52A) on an annual basis. All procurement actions are reportable, not just that portion which exceeds \$150,000.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30<sup>th</sup> of each year. Final reports are due by October 30<sup>th</sup> or 90 days after the end of the project period, whichever comes first.

The reporting requirement is based on total procurements. Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be **signed and emailed to [R3 MBE-WBE Reports@epa.gov](mailto:R3_MBE-WBE_Reports@epa.gov) as a pdf file, or if that is not possible, mailed to Cynthia Burrows, Diversity/EEO Manager (3DA10), U.S. EPA - Region III, 1650 Arch Street, Philadelphia, PA 19103-2029 with a courtesy copy to the EPA Grant Specialist.** The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program's Home Page at [http://www.epa.gov/osbp/dbe\\_reporting.htm](http://www.epa.gov/osbp/dbe_reporting.htm) ;

## **FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements as described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

## **Accepting the Fair Share Objectives/Goals of Another Recipient**

The dollar amount of this assistance agreement, or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the **VIRGINIA**

**DEPARTMENT OF ENVIRONMENTAL QUALITY** as follows:

MBE: CONSTRUCTION 5.80; SUPPLIES 1.50; SERVICES 3.90; EQUIPMENT 4.10

WBE: CONSTRUCTION 4.00; SUPPLIES 1.60; SERVICES 2.60; EQUIPMENT 4.20

By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as **VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**.

**Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404**

The recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is **not** accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

**SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- (d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- (e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- (f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

**CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

**BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

**5. Mandatory Non-Profit Recipient Training**

Recipient acknowledges that two employees of this recipient organization must complete the mandatory on-line training, "EPA Grant Management Training for Non-Profit Applicants and Recipients." One person must be the project manager, or equivalent, for this assistance agreement. The other individual must be the person authorized to draw down funds for this assistance agreement. Both employees must complete the training prior to the receipt of any grant funds. The recipient may access the course through the internet at:

[http://www.epa.gov/ogd/training/ recip\\_train.htm](http://www.epa.gov/ogd/training/ recip_train.htm)

At the end of the course the [certifications of completion must be signed and emailed to R3\\_Grant\\_Applications@epa.gov](#) as a pdf file, or if that is not possible, mailed to EPA, Grants Management Officer (3PM70), 1650 Arch Street, Philadelphia, PA 19114. EPA will not release funds to the recipient until the required training is completed. Certifications must be maintained throughout the life of the agreement. The training must be completed every three (3) years by both employees and when there are personnel changes.

**6. Unpaid Federal Tax Liabilities and Felony Convictions for Non-profit and For-profit Organizations**

This award is subject to the provisions contained in the Consolidated Appropriations Act, 2014, Public Law 113-76, Division G, Title IV, Sections 422 and 423 regarding unpaid federal tax liabilities and federal felony convictions, which also have been included in prior appropriations acts. Accordingly, by accepting this award the recipient acknowledges that it: (1) is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) has not been convicted of a felony criminal conviction under any Federal law within 24 months preceding the award, unless EPA has considered suspension or debarment of the corporation based on these tax liabilities or convictions and determined that such action is not necessary to protect the Government's interests. If the recipient fails to comply with these provisions, EPA will annul this agreement and may recover any funds the recipient has expended in violation of Sections 422 and 423.

**Programmatic Conditions****1. Performance Reports**

In accordance with 2 CFR 200.328, the recipient agrees to submit performance reports that include brief information on each of the following areas; 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, analysis and information of cost overruns or high unit costs.

In accordance with 2 CFR 200.328, the recipient agrees to inform EPA as soon as problems, delays or



adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

## **2. Performance Reports - Submission Frequency**

The recipient agrees to submit **quarterly** performance reports to the EPA Project Officer. The reports are due 30 days after the reporting period. Final performance reports are due 90 days after the end of the budget period.

## **3. Quality Assurance Management Plan**

In accordance with 2 CFR 1500.11, the recipient must develop and implement quality assurance policies and practices that are sufficient to produce data of adequate quality to meet program objectives. These policies and practices must be documented in a Quality Management Plan (QMP). The QMP should be prepared in accordance with EPA QA/R-2: EPA Requirements for Quality Management Plans. The recipient's QMP should be reviewed and updated annually as needed.

Should there be multiple programs involved in a grant, cooperative agreement or interagency agreement, at the recipient's discretion, they may submit one of the following:

- a. A single QMP covering all of the programs in the grant or agreement or
- b. A separate QMP for each program receiving the grant or agreement funds.

The QMP must be submitted to the EPA Project Officer at least 45 days prior to the initiation of data collection or data compilation. Prior to environmental data collection or data compilation, the QMP must be approved by the EPA Regional Quality Assurance Manager.

## **4. Quality Assurance Project Plan**

In accordance with 2 CFR 1500.11, the recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. The Quality Assurance Project Plan (QAPP) is the document that provides comprehensive details about the quality assurance/quality control requirements and technical activities that must be implemented to ensure that project objectives are met. The QAPP should be prepared in accordance with EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans. The QAPP must be submitted to the EPA Project Officer at least 30 days prior to the initiation of data collection or data compilation.

Prior to environmental data collection or data compilation, the QAPP must be approved by the EPA Project Officer. When the recipient is delegating the responsibility for an environmental data collection or data compilation activity to another organization, the EPA Regional Quality Assurance Manager may allow the recipient to review and approve that organization's QAPP.